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# ***OAR Box 1214***

*Prepped by Ollie Stewart*

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*Document Number:*

**5) III-A-1**

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*Docket Number:*

**A-91-46**

A-91-46

OAR-2004-0349-0001

III-A-1

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Memo	Caco No.
Emilio Texaco	RF321-4785
Fletcher's Texaco	RF321-227
Fort Thomas Texas Texaco	RF321-3716
Gordon City Texaco	RF321-3831
Groton Texaco	RF321-305
Hemingway Transport Inc.	RF272-75831
Jim Williams Texaco	RF321-4782
Johnson Texaco	RF321-1153
Ked's Service Center	RF321-3723
Lee My Paving Company	RF272-84834
Missouri Agricultural Experiment Station	RF272-87489
Missouri Agricultural Experiment Station	RF272-87483
Missouri Agricultural Experiment Station	RF272-87504
Missouri Foundation Seeds	RF272-87505
Mitch's Texaco	RF321-3727
Part Hill Texaco	RF321-14436
Part Square Texaco	RF321-3440
Plymouth Oil, Inc.	RF315-0958
Quiett's Texaco Station	RF321-14433
R&L Texaco	RF321-1217
Randy's Shell Service	RF315-4499
Riverview Texaco	RF321-3719
Salyer's Texaco	RF321-14103
Scarsdale Avenue Texaco	RF321-2546
Sunset Texaco	RF321-2942
Thirty-Fifth & Harrison Texaco	RF321-3718
Ticon Delaware, Inc.	RF272-5976
Ticon Delaware, Inc.	RF272-3976
Timberlake Texaco	RF321-3726
Vrabics Texaco	RF321-1462
Wayne R. Wilson Texaco	RF321-2570
Wickford Shipyard, Inc.	RF321-2581

Copies of the full text of these decisions and orders are available in the Public Reference Room of the Office of Hearings and Appeals, room 1E-234, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, Monday through Friday, between the hours of 1 p.m. and 5 p.m., except federal holidays. They are also available in Energy Management: Federal Energy Guidelines, a commercially published loose leaf reporter system.

Dated: July 26, 1991.  
George B. Breznay,  
Director, Office of Hearings and Appeals.  
[FR Doc. 91-18299 Filed 7-31-91; 8:45 am]  
BILLING CODE 0450-01-M

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-3879-2]

**Fuels and Fuel Additives; Waiver Application**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice.

**SUMMARY:** On July 12, 1991, the Ethyl Corporation (Ethyl) submitted an application for a waiver of the prohibition against the introduction into commerce of certain fuels and fuel additives set forth in section 211(f) of

the Clean Air Act (Act). This application seeks a waiver for the gasoline additive, methylcyclopentadienyl manganese tricarbonyl (MMT), an octane enhancer, commercially labeled by Ethyl as HiTEC 3000, to be blended in unleaded gasoline resulting in a level of up to 0.03125 (1/32) gram per gallon manganese (gpg Mn). The Administrator of EPA has until January 8, 1992 to grant or deny this application. If not denied by that date, it will be deemed to be granted, under section 211(f)(4).

**DATES:** EPA will conduct a one-day public hearing on this application beginning at 9 a.m. on September 13, 1991 at the U.S. EPA Auditorium located in the EPA Education Center (Northwest Mall Entrance), 401 M Street SW., Washington, DC 20460. Comments on this application will be accepted until October 4, 1991. Parties wishing to testify at the hearing should contact David J. Kortum or James W. Caldwell by September 6, 1991 at (202) 382-2635 (after August 23, 1991, the number will be (202) 260-8841). It is also requested that six copies of prepared hearing testimony be available at the time of the hearing for distribution to the hearing panel. Hearing testimony should also be submitted to the docket. Additional information on the submission of comments to the docket may be found below in the "ADDRESSES" section of this notice.

**ADDRESSES:** Copies of the information relative to this application are available for inspection in public docket A-91-46 at the Air Docket (LE-131) of the EPA, room M-1500, 401 M Street SW., Washington, DC 20460, (202) 382-7548, between the hours of 8:30 a.m. to noon and 1:30 p.m. to 3:30 p.m. weekdays. Any comments from interested parties should be addressed to this docket with a copy forwarded to Mary T. Smith, Director, Field Operations and Support Division (EN-397F), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460. As provided in 40 CFR part 2, a reasonable fee may be charged for copying services.

**FOR FURTHER INFORMATION CONTACT:** David J. Kortum, Environmental Engineer, Field Operations and Support Division (EN-397F), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460, (202) 475-8841 (after August 23, 1991: (202) 280-8841).

**SUPPLEMENTARY INFORMATION:** Section 211(f)(1)(A) of the Act makes it unlawful, effective March 31, 1977, for any manufacturer of a fuel or fuel additive to first introduce into commerce, or to increase the concentration in use of, any fuel or fuel additive for use in light duty motor

vehicles manufactured after model year 1974 which is not substantially similar to any fuel or fuel additive utilized in the certification of any model year 1975, or subsequent model year, vehicle or engine under section 208 of the Act. EPA has defined "substantially similar" at 56 FR 5352 (February 11, 1991). Section 211(f)(1)(B) of the Act makes it unlawful, effective November 15, 1990, for any manufacturer of a fuel or fuel additive to first introduce into commerce, or to increase the concentration in use of, any fuel or fuel additive for use by any person in motor vehicles manufactured after model year 1974 which is not substantially similar to any fuel or fuel additive utilized in the certification of any model year 1975, or subsequent model year, vehicle or engine under section 208 of the Act. Thus, section 211(f)(1)(B) expands the prohibitions of 211(f)(1)(A), which apply only to light-duty vehicles. Section 211(f)(4) of the Act provides that upon application by any fuel or fuel additive manufacturer, the Administrator of EPA may waive the prohibitions of section 211(f)(1) if the Administrator determines that the applicant has established that such fuel additive will not cause or contribute to a failure of any emission control device or system (over the useful life of any vehicle in which such device or system is used) to achieve compliance by the vehicle with the emission standards to which it has been certified pursuant to section 206 of the Act. If the Administrator does not act to grant or deny an application for a waiver within 180 days of receipt of the application (in this case, by January 8, 1992), the statute provides that the waiver shall be treated as granted.

The current submission by Ethyl is an application under section 211(f)(4) of the Act for a waiver for the fuel additive methylcyclopentadienyl manganese tricarbonyl (MMT), commercially labeled by Ethyl as HiTEC 3000, to be blended in unleaded gasoline resulting in a level of up to 0.03125 (1/32) gram per gallon manganese (gpg Mn). This is Ethyl's fourth application for a waiver for MMT. Ethyl's first application was submitted on March 17, 1978 for concentrations of MMT resulting in 1/4 and 1/2 gpg Mn in unleaded gasoline. Ethyl's second application was submitted on May 26, 1981 for concentrations of MMT resulting in 1/4 gpg Mn in unleaded gasoline. The Administrator denied these requests for waivers. The decision and justification thereof may be found in the September 18, 1978 Federal Register, 43 FR 41424, and the December 1, 1981 Federal Register, 46 FR 58630. Ethyl's third

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application, was submitted on May 9, 1990, for concentrations of MMT resulting in a level of up to 0.3125 (1/32) gpg Mn in unleaded gasoline (the same level which is requested in the application which is the subject of today's notice). Ethyl withdrew its third application on November 1, 1990, before the deadline for the Administrator to make a determination on the application. Because no determination had been made at the time the applicant withdrew the application, EPA accepted the withdrawal and immediately terminated the proceeding without action on the application.

If the prohibitions against MMT were waived by the Administrator, it is highly likely that most U.S. gasoline would contain MMT, and, therefore, it is also highly likely that fuels used in certifying vehicles under section 203 of the Act, would be required to reflect this compositional change. EPA invites comments on whether the Administrator should grant or deny this waiver application.

Dated: July 24, 1991.

Michael Shapiro,  
Acting Assistant Administrator for Air and Radiation.

[FR Doc. 91-17888 Filed 7-31-91; 8:45 am]  
BILLING CODE 6550-01-0

[OFTS-502003; FRL-3930-1]

**Certain Chemicals; Approval of Modification to Test Marketing Exemption**

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

**SUMMARY:** This notice announces EPA's approval of modifications of the test marketing periods for three test marketing exemptions (TME) under section 5(h)(1) of the Toxic Substances Control Act (TSCA) and 40 CFR 720.38. EPA designated the original test marketing applications as TME-91-2, TME-91-3, and TME-91-4. The test marketing conditions are described below.

**EFFECTIVE DATE:** July 24, 1991.

**FOR FURTHER INFORMATION CONTACT:** Rick Keigwin, New Chemicals Branch, Chemical Control Division (TS-784), Office of Toxic Substances, Environmental Protection Agency, Rm. E-811, 401 M St. SW., Washington, DC 20460, (202) 382-2440. A public version of the record, without any confidential business information, is available in the TSCA Public Docket Office from 8 a.m. to noon and 1 p.m. to 4 p.m., Monday

through Friday, except legal holidays. The TSCA Public Docket Office is located in Rm. NE-G004, 401 M St., SW., Washington, DC.

**SUPPLEMENTARY INFORMATION:** Section 5(h)(1) of TSCA authorizes EPA to exempt persons from premanufacture notification (PMN) requirements and permit them to manufacture or import new chemical substances for test marketing purposes if the Agency finds that the manufacture, processing, distribution in commerce, use, and disposal of the substances for test marketing purposes will not present an unreasonable risk of injury to human health or the environment. EPA may impose restrictions on test marketing activities and may modify or revoke a test marketing exemption upon receipt of new information which casts significant doubt on its finding that the test marketing activity will not present an unreasonable risk of injury.

EPA hereby approves the modifications of the test marketing periods for TME-91-2, TME-91-3, and TME-91-4. EPA has determined that test marketing of the new chemical substances described below, under the conditions set out in the TME applications and modification request, and for the modified time periods specified below, will not present an unreasonable risk of injury to human health or the environment. Production volume, use, and the number of customers must not exceed that specified in the application. All other conditions and restrictions described in the original Notice of Approval of Test Marketing Application must be met.

T-91-2

**Notice of Approval of Original Application:** January 18, 1991 (56 FR 2017).

**Modified Test Marketing Period:** 6-month extension from the original 6 months.

T-91-3

**Notice of Approval of Original Application:** January 18, 1991 (56 FR 2017).

**Modified Test Marketing Period:** 6-month extension from the original 6 months.

T-91-4

**Notice of Approval of Original Application:** January 18, 1991 (56 FR 2017).

**Modified Test Marketing Period:** 6-month extension from the original 6 months.

The Agency reserves the right to rescind approval or modify the conditions and restrictions of an

exemption should any new information come to its attention which casts significant doubt on its finding that the test marketing activities will not present an unreasonable risk of injury to human health or the environment.

Dated: July 24, 1991.

John W. Malone,  
Director, Chemical Control Division, Office of Toxic Substances.

[FR Doc 91-18282 7-31-91; 8:45 am]

BILLING CODE 6550-01-0

**FEDERAL COMMUNICATIONS COMMISSION**

Public Information Collection  
Requirement Submitted for Review

July 23, 1991.

The Federal Communications Commission has submitted the following information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1980 (44 U.S.C. 3507).

Copies of this submission may be purchased from the Commission's copy contractor, Downtown Copy Center, 1114 21st Street NW., Washington, DC 20036, (202) 452-1422. For further information on this submission contact Judy Boley, Federal Communications Commission, (202) 632-7513. Persons wishing to comment on this information collection should contact Jonas Neihardt, Office of Management and Budget, room 3235 NEOB, Washington, DC 20503, (202) 395-4814.

OMB Number: 3080-0185.

Title: Section 73.3613, Filing of Contracts.

Action: Extension.

Respondents: Businesses or other for-profit (including small businesses).

Frequency of responses: Recordkeeping requirement and on occasion reporting.

Estimated annual burden: 1,800 responses, 3,717 recordkeepers, .5 hours per response and per recordkeeper, 2,750 hours total annual burden.

Needs and Uses: Section 73.6318 requires that licensees of TV and low power TV broadcast stations file with the FCC copies of network affiliation contract, instruments, and documents together with amendments, supplements and cancellations. In addition, all broadcast station licensees are required to file contracts, instruments or documents relating to ownership or control and personnel. Certain contracts, agreements or understandings need not be filed with the FCC, but must be retained at the station and be made available for inspection upon request by